

Troy N. Nichols (VA 68491)
WYATT, TARRANT & COMBS, LLP
250 West Main Street, Suite 1600
Lexington, KY 40507-1746
Telephone: (859) 233-2012
Facsimile: (859) 259-0649

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

IN RE:)
) Case No. 08-35653-KRH
) (Jointly Administered)
CIRCUIT CITY STORES, INC., *et al.*)
) Chapter 11
)
DEBTOR.) Judge Kevin R. Huennekens
)

**RULE 2019 VERIFIED STATEMENT OF
REPRESENTATION OF MULTIPLE CREDITORS**

Comes Wyatt, Tarrant & Combs, LLP ("Wyatt") and verifies, pursuant to Rule 2019 of the Federal Rules of Bankruptcy Procedure, that it has been retained to represent multiple creditors and interested parties, as set forth below, in matters related to the above-referenced Chapter 11 proceeding:

1. Wyatt has been retained to represent Modern Marketing Concepts, Inc. ("Modern Marketing"), 1220 East Oak Street, Louisville, KY 40204. A Motion was filed on January 6, 2011 for Daniel E. Hitchcock to Appear Pro Hac Vice (Doc. No. 9711) and an Order Authorizing Appearance was entered on January 10, 2011 (Doc. No. 9718). As more fully set forth in Proof of Claim No. 9904 dated January 27, 2009, Modern Marketing filed a pre-petition unsecured claim against the Debtors in the amount of \$74,380.04 for charges incurred 9/2/08

through 9/18/08. Wyatt was retained on October 31, 2004 to represent Modern Marketing in various matters including all matters related to the subsequent filing of this Chapter 11 proceeding at its normal and customary hourly rates. To this end, Wyatt was also retained to represent Modern Marketing in adversary case no. 10-03254 initiated by Alfred H. Siegel, as Trustee for the Circuit City Stores, Inc., Liquidating Trust. Said action involves an alleged preference payment to Modern Marketing, and the parties are currently involved in settlement negotiations concerning same.

2. Wyatt has also been retained to represent CB Richard Ellis / Louisville (“CBRE”), 6060 Dutchmans Lane, Suite 100, Louisville, KY 40205. An amended motion for Robert J. Brown to Appear Pro Hac Vice was filed on April 11, 2011 (Doc. No. 10515) and is pending. As more fully set forth in Proof of Claim No. 3490 dated January 7, 2009, CBRE filed a pre-petition unsecured claim against the Debtors in the amount of \$127,712.16 for charges incurred 10/23/08. The Fourteenth Omnibus Objection to Landlord Claims was filed by the Liquidating Trust against the CBRE claim (Doc. No. 10052). Wyatt timely filed a response in support of CBRE’s claim (Doc. No. 10308) and the matter is pending. Wyatt was retained on December 5, 2008 to represent CBRE in all matters related to this Chapter 11 proceeding at its normal and customary hourly rates.

3. Wyatt has also been retained to represent Sir Barton Place LLC (“Sir Barton”), P.O. Box 12128, Lexington, KY 40580-2125. A Motion for John P. Brice to Appear Pro Hac Vice was filed on February 24, 2009 (Doc. No. 2284) and an Order Authorizing Appearance was entered on March 6, 2009 (Doc. No. 2454). As more fully set forth in Proof of Claim No. 11894 dated March 16, 2009, Sir Barton filed a pre-petition unsecured claim against the Debtors in the amount of \$900,855.70 for charges incurred for 2008 real estate taxes and various charges

incurred related to the terms of the lease between Debtor and Sir Barton. Sir Barton also filed an administrative expense claim request on May 4, 2009 (Doc. No. 3267). The Debtor filed an objection to the Sir Barton claim, which was resolved by agreement of the parties, with settlement documents being circulated. Wyatt was retained on November 16, 2008 to represent Sir Barton in all matters related to this Chapter 11 proceeding at its normal and customary hourly rates. A motion to withdraw was filed by John P. Brice on July 6, 2009 (Doc. No. 3959) and an Order was entered authorizing same on July 7, 2009 (Doc. No. 4004).

The undersigned hereby verifies that the foregoing is true and correct to the best of his knowledge and belief.

Dated: April 20, 2011

Respectfully submitted,

WYATT, TARRANT & COMBS, LLP

/s/ Troy N. Nichols
Troy N. Nichols (VA 68491)
250 West Main Street, Suite 1600
Lexington, KY 40507-1746
Phone: (859) 233-2012
Fax: (859) 259-0649
E-mail: Lexbankruptcy@wyattfirm.com

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Rule 2019 Verified Statement of Multiple Representation has been served in the method established in the Case Management/Electronic Case Files (CM/ECF) Policy Statement to all parties designated to receive electronic service including Counsel for the Debtor and the Office of the U.S. Trustee via facsimile, electronic and/or first-class, postage prepaid U.S. mail on this 20th day of April, 2011.

Copies to:

Lynn L. Tavenner
Paula S. Beran
Tavenner & Beran, PLC
20 North Eighth Street, 2nd Floor
Richmond, VA 23219

Jeffrey N. Pomerantz
Andrew W. Caine
Pachulski Stang Ziehl & Jones, LLP
10100 Santa Monica Boulevard
Los Angeles, CA 90067-4100

Robert J. Feinstein
Pachulski Stang Ziehl & Jones LLP
780 Third Avenue, 36th Floor
New York, New York 10017

U.S. Trustee
W. Clarkson McDow, Jr.
Office of the U. S. Trustee
701 E. Broad St., Suite 4304
Richmond, VA 23219

/s/ Troy N. Nichols
Troy N. Nichols

30585757.1